

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

**CR-07-79-GF-BMM**

Plaintiff,

vs.

RICHARD THOMAS DROST,

**ORDER**

Defendant.

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on November 9, 2022. (Doc. 71.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on November 8, 2022. (Doc. 69.) The United States accused Richard Drost (Drost) of violating his conditions of supervised release 1) by possessing a cell phone; 2) by knowingly viewing material depicting sexually explicit conduct; and 3) by failing to comply with the conditions of his sex offender treatment program on three separate occasions. (Doc. 66.)

At the revocation hearing, Drost admitted to violating the conditions of his supervised release by 1) by possessing a cell phone; 2) by knowingly viewing material depicting sexually explicit conduct; and 3) by failing to comply with the conditions of his sex offender treatment program on three separate occasions . (Doc. 69.) Judge Johnston found that the violations Drost admitted proved to be serious and warranted revocation, and recommended revocation of Drost's supervised release and recommended that Drost receive a custodial sentence of 6 months, with a lifetime of supervised release to follow. (Doc. 71.) Drost was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 69.) The violations prove serious and warrant revocation of Drost's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 71) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Richard Thomas Drost be sentenced to the Bureau of Prisons for 6 months, with lifetime supervised release to follow.

DATED this 29th day of November, 2022.



Brian Morris  
Brian Morris, Chief District Judge  
United States District Court